ON THE SHORE.

Jease, O stormy wind, thy wailing!
Cease thy roaring, restless sea!
All night long thy billows beating,
Like strong souls in agony.
On the tempest, landward sweeping,
Sailor voices come to me,
And I see a close reefed vessel
Tossing on an angry sea.

Long I watched her in the offing,
Till the night shut down the day
Sleepless watchers still are waiting
For their kindred long away:
Peering through the stormy darkness,
With their weary, anxious eyes,
Watching, waiting, hoping, fearing,
While the waters higher rise.

Cease, O cease, thou roaring ocean!
Hear you not my bitter cry?
O'er my loved your waters rolling,
In your sunless caves they lie.
And my eyes o'erflow with weeping
When I hear those billows moan.
Oh, the hearts that thou hast broken,
Only to their God are known.

—A. E. Porter.

WHAT THEY HAVE TO DO FOR THE TOURISTS THEY LOOK AFTER.

Boyhood of the Future Guide—Outfit and Accomplishments of an Adirondack Guide—Location of Camps—Cooking and Camp Work—Floating for Deer.

According to their stories, the guides are usually sons of farmers or lumbermen, and are reared on the borders of the big woods. They begin to fish for trout in the nearest brook about as soon as they can walk, and before they are able to hold a gun offhand they have been provided with an old musket which has been bored out and thus made a shotgun. Very often the guide kills his first deer before he is in his teens, and instances of boys of tender years killing a bear are scarcely uncommon. Such boys roam the woods with no more danger of getting lost or turned around than a city boy would find in walking from City Hall to the Battery in New York city.

But traveling through the woods without getting lost is one of the least of the accomplishments of an Adirondack guide. More than that, the guide must be a cavitalist. He carries with him a thirteen foot canoe and an assortment of fishing tackle in a pack basket that seemed large enough to stock a country store. Although the club has no end of boats and scows on Bisby lake, the guides must furnish their own boats for use on Moose river and Canachagala lake. While the sportsman always fishes with his own tackle, the guide must have an abundant supply of lines and hooks, too, including set or night lines for taking the big ones that will not rise to a fly, and the reason for this will appear further on.

KITS FOR THE CAMP.

Besides these, the guide must own at least one good kit of cooking utensils. The Bisby guides generally own from two to five kits each, and each kit is kept hidden in the woods at such points on Moose river and the lakes as the sportsman is likely to visit when hunting and fishing. This saves the labor of carrying the kit from one place to another, a matter of no small importance. At these points, too, the guides erect camps, in which a party may lodge over night in comfort, rain or shine. The camp is simply a log hut roofed with spruce bark, and frequently without doors or windows. But there is a good fireplace, and generally a supply of dry wood. Since a good canoe delivered on the river is worth $30 and a camp kit $5, the guide who is well supplied with these and with fishing tackle, dogs and rifles is a capitalist to the amount of $100 at least.

Disaster, however, may sometimes overtake the camp kits and camps located in favorable places on the river and lakes. Food is frequently left with the kit, and if a bear comes along he is sure to smell it. Even when no food is there he will smell the kit, and, having no fear under such circumstances, goes in and stirs up the camp in a way that is exasperating. Frequently the guide and the sportsman return to camp after a long day spent in wading the river to find the tinware scattered and the food eaten and destroyed by a bear.

The amount of luggage which the city sportsman requires when going to rough it at the club house in the Adirondacks sometimes makes the guides groan in secret, but never openly. There are baskets of wine, cases of beer and demijohns of liquor, besides boxes of canned goods and trunks of clothing, not to mention silk umbrellas and hat boxes, all of which find place in many backwoods outfits. If the sportman be an expert with the fly, as most of them are, the guide finds occupation in caring for the fish taken; if not, the guide must needs cut a pole, tie on a line and hook and bait up with a worm. It would never do for the sportsman to go back without a supply of fish to prove his prowess to his friends.

At the camp the guide goes the cooking and camp work generally. To hold his patron he must not only be a good cook, but he must hear his taste of each sportsman and satisfy it, whatever it may be. To satisfy that taste not infrequently requires an infraction of the game laws, "but as one guide says, "we must calculate on having fish for breakfast, law or no law, not to mention venison steaks before Aug. 15." It can safely be said that two deer are slaughtered out of season at the behest of city sportsmen to one killed by crusting by natives for food, and the deer killed by the sportsmen can never be more than a quarter consumed before they spoil.

THE SWIMMING DEER.

When the guide finds the sportsman cannot shoot a deer on the runaway or in the river, he moves to some lake. When the deer is run into the lake it is likely to swim across. Here is the opportunity of the unskilled sportsman. The guide can row a boat faster than the deer can swim. So the sportsman is shortly moored, so to speak, alongside the fleeing deer. He can hit it now with a club, but he uses a rifle instead, taking care that the muzzle is not close enough to burn the deer's hair. Burned hair would interfere with a tale of a long range shot. There is one drawback to killing a swimming deer. The carcass will sink if the killing be done in August or September. To prevent such a catastrophe the guide grasps the deer firmly by the tail before the sportsman shoots it. It is an important part of a guide's education to be able to grasp a swimming deer firmly by the tail.

Floating for deer will frequently supply the sportsman with venison if he be somewhat skilled. The sportsman sits down on a seat in the bow of a canoe. Club men frequently have cane seats made, because cane is more comfortable than spruce. The guide, with a bottle of fly and musquito dope, sits in the stern. At intervals the dope is applied to both the sportsman and the guide to keep off the flies and musquitoes. Between the applications the guide paddles the canoe with a paper thin paddle to those low lying swampy shores of the lake where pond lilies and bullfrogs flourish. In the extreme bow of the boat is a lantern that has a reflector like that of a locomotive headlight. By means of this light, the sportsman, if lucky, may see the form of a deer standing in the water, where it has come to feed on the pond lilies. It is generally a doe, although the sportsman is usually positive, before he shoots, that he can see the horns. The deer sees the light and nothing else. It hears nothing, and although it can smell the men it is so dumfounded by the light that it stands and stares until the boat gets within a rod or two of it. Then the sportsman shoots the deer with a shotgun.

As the season lasts from the middle of May to the middle of November, with a slack time during the latter part of July and the first of August, the guide may work over 150 days and take in over $500, besides portable property, while his expenses would be very small, practically nothing.—New York Sun.

Clubs of London.

It is reported that several of the oldest and most respectable London clubs are in want of both money and members. The new clubs are so numerous and possess so many fresh attractions that the old ones find it difficult to compete.—New York Sun.

At the Casino.

He—What charming scenery! Look at those flowers, Miss Rougepotte; are they not beautiful? They remind me of you.

She—How! They are artificial.

He—Ah, yes; but no one would ever know it.—Truth.

Continued from First Page.

CHAPTER CCLIV.

An Act to authorize cities of this state to change the time fixed for the payment of taxes.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That it shall and may be lawful for any city of this state in which the time for the payment of the annual taxes is fixed by charter, to change the same by ordinance of the common council, board of aldermen or other governing body of such city, by and with the consent of the board having charge and control of the finances in such cities, to any other time which, in the opinion of the said common council, or board of aldermen or other governing body, may be more suitable to the inhabitants of such city.

2. And be it enacted, That all acts and parts of acts and charter provisions inconsistent herewith be and they are hereby repealed, and this act shall be deemed a public act and shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLV.

Supplement to an act entitled "An act concerning taxes, making the same a first lien on real estate, and to authorize sales for the payment of the same," approved March fourteenth one thousand eight hundred and seventy.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That any and all taxes which shall or may hereafter be laid, assessed or imposed, pursuant to the laws of this state, against any person or persons, or corporations, for and on account of any lands, tenements, hereditaments or real estate, situate lying and being in this state, together with lawful interest thereon accruing, and all costs, fees, charges and expenses in relation to the levy, assessment and collection of said taxes, shall be and become, from and after the twentieth day of December next after such assessment, a full and complete first and paramount lien on all the lands, tenements, hereditaments or real estate on account of which such levy and assessment shall be made, and, while unpaid, shall remain such lien for the space of two years from the said twentieth day of December, and that any and all mortgages, alienations, devises, descents, liens and incumbrances of every kind and nature, of, in, upon or against such lands, tenements, hereditaments or real estate, shall be in every respect subject and subservient to the lien of the aforesaid taxes, interests, costs, fees, charges and expenses.

2. And be it enacted, That all acts and parts of acts inconsistent herewith be and the same are hereby repealed.

3. And be it enacted, That this act shall be deemed a public act and shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLVI.

A further supplement to an act entitled "An act to incorporate the chosen freeholders of the respective counties of the State," approved April sixteenth, one thousand eight hundred and forty-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the treasurer of the State of New Jersey, in the distribution of the laws of this State, and of the reports of the law and equity courts of this State, and the digests and indices of the same, and other publications issued and published by or at the expense of the State of New Jersey, shall send one copy of all such publications to the clerk of each county where law libraries have been or may hereafter be established under the act to which this is a supplement, or under any act or acts supplemental thereto, for the use of such law libraries, which copies shall be furnished at the expense of the State of New Jersey.

2. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLVII.

An Act to amend an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,'" approved April tenth, one thousand eight hundred and eighty-four, which was approved March twenty-seventh, one thousand eight hundred and eighty-eight.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the said act to which this is a supplement be and the same is hereby amended so as to read as follows:

11. And be it enacted, That the money collected under this act for the one half of one per centum tax shall be applied to the uses of the state according to law; the amount received for tax upon property separately assessed in the different taxing districts is hereby appropriated, and shall be paid to the boards of chosen freeholders, giving to each district the amount that was derived from the property of each railroad and canal company therein; the comptroller shall transmit to the collector of each county a certificate showing the amounts allotted to the taxing districts therein, and shall draw his warrant upon the state treasury, in favor of the several county collectors, for the amounts allotted to their several counties, and the county collector shall forthwith pay to the collector, or other proper officer of each taxing district, the amount allotted thereto, deducting, however, the amount due for county taxes from such taxing district; the amount thus paid to the county and taxing district shall be applied by the proper authorities for public purposes; provided, however, that whenever the local city rate as fixed and assessed in any city exceeds one per centum of the ratables of such city, then in such case the comptroller shall transmit to the collector of taxes of said city a certificate showing the amount allotted to such city, and shall draw his warrant upon the state treasurer in favor of the treasurer of such city for said amount; such warrant to be at the disposal of the board of such city having control of the taxes, to be used for the municipal purposes of such city, such amount to be first applied to the purchase of such outstanding bonds or obligations of the city as can be bought below the par value thereof, and if no bonds or obligations can be bought below par, then such amount, or the balance, if any, shall be applied to the payment of such part of the city debt and interest falling due thereon as the said board having control of the finances of the city may determine.

12. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLX.

A supplement to an act entitled "An act to enable either towns to build main sewers in certain districts, and to acquire private lands for that purpose," passed March twenty-fourth, one thousand eight hundred and sixty-five.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the act to which this is a supplement shall be construed to take in, embrace and extend to any neighborhood or locality in a city having an inadequate outlet for its sewerage system, and all proceedings already had or taken for the construction of any main sewer for such neighborhood under the provisions of said act shall be deemed and taken to be in all respects lawful and valid.

2. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLXI.

A Supplement to an act entitled "An act to authorize the establishment of a free public library in the cities of this state, to a vote of the people of said city, either at the time fixed by law for the election of municipal officers, or at a special election to be held for that purpose, in the same manner provided for in the act to which this is a supplement, and to provide for the holding of such an election, and to canvass the returns thereof, in the manner directed by said act, notwithstanding the fact that such city may, at an election heretofore held, have voted against the adoption, for said city, of the provisions of the said original act; and in case of the adoption of the provisions of said act, a library shall be established in such city, in the same manner that it would have been established had the said act been adopted at a former election.

2. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLXII.

An Act to provide means to increase fish production in the waters of this state.

1. Be it enacted by the Senate and General Assembly of the state of New Jersey, That the sum of two thousand dollars be and the same is hereby appropriated, out of any funds in the treasury not otherwise appropriated, for the purpose of continuing the work of stocking the waters of this state with food fishes, which said sum of money shall be paid by the state treasurer on the warrant of the comptroller to the commissioners of fisheries of this state, upon their requisition therefor, the same to be used by said commissioners in defraying the cost of procuring, hatching and distributing valuable food fishes to stock the rivers, streams, lakes and ponds of this state and for such other uses and purposes as they may deem advisable to restore and increase fish production in the waters of this state.

2. And be it enacted, That this act shall take effect immediately.

Approved April 3, 1888.

CHAPTER CCLXIII.

An Act to extend the time for building and putting in operation certain street railways in or related under an act entitled "An Act to provide for the incorporation of street railway companies, and to regulate the same," approved April sixth, one thousand eight hundred and eighty-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever the time limited for building and putting in operation any street railway, or any portion thereof, authorized to be constructed under the act referred to in the title of this act, shall have expired, or shall hereafter expire, and no appeal having been taken from the decree of the court in the matter of the application for the incorporation of such railway company, or from any part thereof to the court of errors and appeals, and all appeals from such final decrees shall be determined, or the time for the taking such appeal from such decree; provided, that in cases where the person entitled to such appeal from any final decree has not been served with process, the time for him to appeal shall have three months to bring such appeal after such disability shall be removed.

2. And be it enacted, That this act shall take effect immediately.

Approved April 3, 1888.

CHAPTER CCLXV.

A General Act for the assessment of the costs and expenses of street improvements that lie between or run through two or more municipalities.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That hereafter in any proposed the cost and expenses of street improvements that lie between or run through two or more municipalities in this State, the commissioners or persons appointed or authorized by law to make such assessments, or any three of them, may be called, after first taking and subscribing an oath faithfully to perform their duties in the matter, shall assess upon all the tracts or lots of land and real estate benefited by any such improvement, such proportion of the costs and expenses thereof as will be equal to the amount of benefits actually acquired by said lands and real estate by reason of such improvement, proportioned equitably to the benefit each of said tract or lots shall be deemed to acquire, and no more, and no other property shall be assessed for such cost and expense shall be assessed upon the municipalities between or through which said improvement shall lie or extend, but in addition thereto that the total of the assessments, on owners of lands, of benefits in each of said municipalities bears to the sum of the total assessments of benefits to the owners of lands in all of said municipalities, and shall be paid out of moneys raised by general taxation for that purpose: provided, however, that if any portion of the costs of such improvement shall be assessed upon property already raised and paid by such municipalities by general taxation under any provision of law the amount or amounts so raised and paid shall not be included in any assessment provided for in this act.

2. And be it enacted, That the term municipalities shall be taken and construed, under this act, to mean any city or cities, town or towns, township or townships and all other municipal corporations whatsoever.

3. And be it enacted, That all acts, or parts of acts inconsistent with this act be and the same are hereby repealed.

4. And be it enacted, That this act shall be a public act and shall take effect immediately.

Approved April 3, 1888.

CHAPTER CCLXIV.

An Act to amend the first section of supplement to "An act to establish and organize the state reform school for juvenile offenders," approved April sixth, one thousand eight hundred and seventy-five, which supplement was approved April second, one thousand eight hundred and sixty-eight.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the first section of the further supplement to "An act to establish and organize the state reform school for juvenile offenders," which supplement was approved April second, one thousand eight hundred and sixty-eight, be and the same is hereby amended so as to read as follows:

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That any boy under the age of sixteen years shall, in a court of criminal jurisdiction, by the verdict of a jury or on his own confession in open court, be found guilty of any crime, except murder, for his lifetime; provided, that the order of the court directing a conveyance be signed by the president judge of the said court.

2. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLIX.

An Act to amend an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,'" approved April tenth, one thousand eight hundred and eighty-four, which was approved March twenty-seventh, one thousand eight hundred and eighty-eight.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the said act to which this is a supplement be and the same is hereby amended so as to read as follows:

11. And be it enacted, That the money collected under this act for the one half of one per centum tax shall be applied to the uses of the state according to law; the amount received for tax upon property separately assessed in the different taxing districts is hereby appropriated, and shall be paid to the boards of chosen freeholders, giving to each district the amount that was derived from the property of each railroad and canal company therein; the comptroller shall transmit to the collector of each county a certificate showing the amounts allotted to the taxing districts therein, and shall draw his warrant upon the state treasury, in favor of the several county collectors, for the amounts allotted to their several counties, and the county collector shall forthwith pay to the collector, or other proper officer of each taxing district, the amount allotted thereto, deducting, however, the amount due for county taxes from such taxing district; the amount thus paid to the county and taxing district shall be applied by the proper authorities for public purposes; provided, however, that whenever the local city rate as fixed and assessed in any city exceeds one per centum of the ratables of such city, then in such case the comptroller shall transmit to the collector of taxes of said city a certificate showing the amount allotted to such city, and shall draw his warrant upon the state treasurer in favor of the treasurer of such city for said amount; such warrant to be at the disposal of the board of such city having control of the taxes, to be used for the municipal purposes of such city, such amount to be first applied to the purchase of such outstanding bonds or obligations of the city as can be bought below the par value thereof, and if no bonds or obligations can be bought below par, then such amount, or the balance, if any, shall be applied to the payment of such part of the city debt and interest falling due thereon as the said board having control of the finances of the city may determine.

12. And be it enacted, That this act shall take effect immediately.

Approved April 2, 1888.

CHAPTER CCLXVI.

A Supplement to an act entitled "An act to enable either town or horse-car railroad companies to provide better accommodation to the public by using what is now known as the cable system for motive power on elevated roads," approved March twenty-sixth, one thousand eight hundred and eighty-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section one of the act to which this is a supplement be and the same is hereby amended so as to read as follows:

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever it shall be deemed expedient to discontinue or abolish any borough commission formed under the act entitled "An act for the formation of borough commissions," approved March seventh, anno domini one thousand eight hundred and eighty-two, it shall be the duty of the chosen freeholders, if moved by one, then one of the chosen freeholders of the township in which said borough commission is located, upon request to him in writing, signed by not less than one-third in number of the taxpayers of the said borough commission (including such persons as pay a poll tax only), to call an election to decide whether said borough commission shall be continued or set aside, by notice in writing under his hand, setting forth the time and place of such proposed election, and stating the object of the said election to be to vote to continue said borough commission, or to set aside said borough commission, which notice shall be set up at least ten days previous to the said proposed election, in five of the most public places within the limits of said borough, and published at least twice in a newspaper printed and published within said borough limits, if any, or, if none so published, then in a newspaper printed and published in the county wherein said borough is situated, and the polls shall be open at the hour of two o'clock in the afternoon and close at seven o'clock in the evening of the same day.

2. And be it enacted, That upon the dissolution as aforesaid of any borough commission, the existing board of borough commissioners shall continue in office for the purpose of receiving all money due such borough commission, and of paying all debts and obligations outstanding against the same at the time of its dissolution; and any surplus remaining in their hands after the payment of all such debts and obligations shall be by them turned over to the township committee, to be by said committee expended within the limits of said borough commission as is before existed, for such purposes only as were before lawful to said borough commission.

3. And be it enacted, That this act shall take effect immediately.

Approved April 6, 1888.

CHAPTER CCLXVII.

A Supplement to an act entitled "An act concerning executors and the administration of intestates' estates," (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, regulating the sale of lands by administrators with the will annexed, by administrators de bonis non with the will annexed, and by executors and such administrators, their agents and employees shall have full power at all times to enter upon any lands for any of the purposes contemplated by this act; and all land and real estate deemed necessary by the said board for the laying out, opening, constructing, improving and maintaining such road or any part thereof, may be taken therefor, and the value and damage assessed and delivered, or which may hereafter be made and delivered, by any administrator or administrators with the will annexed or the survivors or survivor of them, for any lands, tenements hereditaments or real estate sold under any power or direction the said will annexed, given to or vested in the executor or executors named therein, shall be as good, valid and effectual to all intents as if the same had been made and delivered by the executor or executors named in said will; and such administrator or administrators with the will annexed, and the survivor or survivors of them, shall have the same powers and authority with respect to the sale of the lands of the testator as were given to or vested in the executor or executors named in said will, whether such powers and authority constitute a naked power to sell lands or constitute or shall constitute a special continuing trust and whether the discharge of the duties of such trust be expressly or impliedly required by the terms of the said will, which powers shall be executed by said executors or executor of any discretion either in point of time or method, or not, unless where such will does not now or shall hereafter provide by express designation that, in any contingency, some person or persons other than the persons or person named as executors or executor therein, shall exercise such powers and authority; and in case of the death or incapacity either before or after the passage of this act of the executor or executors named in such will before the complete execution of any special trust therein declared and vested in him or them or of such administrator or administrators with the will annexed, and the appointment of an administrator or administrators de bonis non with the will annexed, the powers and authority with respect to the sale of lands of the testator shall be considered as vested in him or them, and the survivors or survivor of them, as were vested in the said executor or executors named, and such administrator or administrators de bonis non with the will annexed, and the survivors or survivor of them, shall have and may exercise, in the same manner and subject to the same conditions, the same powers with respect to the sale of the lands of the testator that the original executor or executors have had or shall have, either as executors or trustees, under said will, and that the result from such road to the owner or owners of such land and real estate, and when the estates in any of said lands and real estate are not known they shall appraise the compensation to be made for and damages to be done to the fee simple of such estate appraisal shall be made for each separate tract, and said commissioners, or any two of them, shall within three months from the date of their appointment, make their report in writing, which shall contain a description of each separate tract of land and real estate taken, and be under their hands and seals and shall file the same within ten days thereafter in the clerk's office of such county, to remain on record therein, together with their appointments and proof of notice aforesaid; a copy of which report, certified by the clerk of the county under his seal of office, shall be filed with the clerk of the board of chosen freeholders and by him presented to said board at its next regular meeting and thereafter such report shall remain of record in his office, and thereupon, and on the payment or tender of payment of the amount awarded as in said report, the said board of chosen freeholders is hereby empowered to enter upon and take the possession of the said lands and real estate, and the said report or a copy thereof certified by the clerk of said county, and proof of payment or tender of the amount awarded shall, at all times be construed as evidence of the right of said board of chosen freeholders to enter upon said lands, and such board, their agents and employees shall have full power at all times to enter upon any lands for any of the purposes contemplated by this act; and all land and real estate deemed necessary by the said board for the laying out, opening, constructing, improving and maintaining such road or any part thereof, may be taken therefor, and the value and damage assessed and delivered, or which may hereafter be made and delivered, by any administrator or administrators with the will annexed or the survivors or survivor of them, for any lands, tenements hereditaments or real estate sold under any power or direction the said will annexed, given to or vested in the executor or executors named therein, shall be as good, valid and effectual to all intents as if the same had been made and delivered by the executor or executors named in said will; and such administrator or administrators with the will annexed, and the survivor or survivors of them, shall have the same powers and authority with respect to the sale of the lands of the testator as were given to or vested in the executor or executors named in said will, whether such powers and authority constitute a naked power to sell lands or constitute or shall constitute a special continuing trust and whether the discharge of the duties of such trust be expressly or impliedly required by the terms of the said will, which powers shall be executed by said executors or executor of any discretion either in point of time or method, or not, unless where such will does not now or shall hereafter provide by express designation that, in any contingency, some person or persons other than the persons or person named as executors or executor therein, shall exercise such powers and authority; and in case of the death or incapacity either before or after the passage of this act of the executor or executors named in such will before the complete execution of any special trust therein declared and vested in him or them or of such administrator or administrators with the will annexed, and the appointment of an administrator or administrators de bonis non with the will annexed, the powers and authority with respect to the sale of lands of the testator shall be considered as vested in him or them, and the survivors or survivor of them, as were vested in the said executor or executors named, and such administrator or administrators de bonis non with the will annexed, and the survivors or survivor of them, shall have and may exercise, in the same manner and subject to the same conditions, the same powers with respect to the sale of the lands of the testator that the original executor or executors have had or shall have, either as executors or trustees, under said will, and that the said justice of the Supreme Court shall, upon application of any party interested, or any such executor or administrator, grant an order directing the said executor or executors, administrator or administrators, to show cause before him, at a time and place to be specified in said order, why an order should not be made authorizing and empowering him to sell the lands and real estate of the said testator, or such part thereof as may be necessary for the payment of the debts of the said testator, and the costs of the proceedings, and a copy of said order shall be served upon all persons interested in the estate of the said testator, at least ten days before the time appointed for the hearing thereof, and upon proof of such service, and upon the hearing of the said application, the said justice shall make such order in the premises as to him shall seem just and proper, and may direct the sale of the whole or any part of the said lands and real estate, as to him shall seem meet, and may direct the manner in which the said sale shall be made, whether at public or private sale, and may prescribe the terms of such sale, and may require a bond to be given by the said executor or executors, administrator or administrators, with sufficient sureties, conditioned for the faithful performance of the duties required of him or them in the premises, and may make such other and further